

CLOSED,SEALED

U.S. District Court
Eastern District of California - Live System (Fresno)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00099-SAB-1 *SEALED*
Internal Use Only

21-cr-00102-CVE-6

Case title: USA v. SEALED

Date Filed: 09/28/2021

Date Terminated: 10/07/2021

Assigned to: Magistrate Judge Stanley
A. Boone

RECEIVED

OCT 26 2021

Defendant (1)

Luis Alfredo Jacobo

TERMINATED: 10/07/2021

also known as

Lokz

TERMINATED: 10/07/2021

represented by

Timothy P. Hennessy

Hennessy Law Group

1215 L Street

Bakersfield, CA 93301

661-237-7179

Email: tph@hennessyatlaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

RULE 5(c)(3)

Disposition -

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office.

ATTEST: **KEITH HOLLAND**

Clerk, U. S. District Court
Eastern District of California

By


Deputy Clerk


Dated

10/22/2021

Disposition

Plaintiff**USA**

Date Filed	#	Docket Text
09/28/2021	1	RULE 5(c)(3) ARREST and DOCUMENTS RECEIVED from Northern District of Oklahoma. Case 21-CR-102-CVE as to Luis Alfredo Jacobo (1). (Rivera, O) (Entered: 09/28/2021)
09/28/2021	2	MINUTES (Text Only) for proceedings held via video conference before Magistrate Judge Stanley A. Boone: INITIAL APPEARANCE re OUT-OF-DISTRICT WARRANT re SECOND SUPERSEDING INDICTMENT (Northern District of Oklahoma) as to Luis Alfredo Jacobo held on 9/28/2021. Parties' consent to appearing by video conference. The defendant is advised of the life in prison term as to count 1. The defendant is advised of the charges and rights, waived reading and enters a NOT GUILTY PLEA. Identity hearing waived by the defendant. True name as stated. Financial affidavit provided on behalf of the defendant. The Court appointed counsel to represent the defendant in this case. Detention hearing requested. Defendant waives having his detention hearing within 5 court days. Court finds good cause for the additional 1 day. Defendant ordered TEMPORARILY DETAINED. Detention Hearing set for 10/6/2021 at 02:00 PM in Courtroom 9 (SAB) before Magistrate Judge Stanley A. Boone. The court instructed government counsel under Rule 5(f) to comply with its disclosure obligations under <i>Brady v. Maryland</i> . Government Counsel: Laurel Montoya -via video present. Defense Counsel: Timothy Hennessy - via video present. Custody Status: Custody - via video. Court Reporter/CD Number: ECRO - Alice Timken. (Gonzales, V) (Entered: 09/29/2021)
09/28/2021	 5	(Court only) CJA 23 FINANCIAL AFFIDAVIT by Luis Alfredo Jacobo. (Martin-Gill, S) (Entered: 10/01/2021)
09/29/2021	3	ORDER (TEXT ONLY) signed by Magistrate Judge Stanley A. Boone on 9/28/2021: According to the Federal Rules of Criminal Procedure Rule 5 (f), the government is ordered to comply with its discovery obligations as required by federal law, including those duties imposed by <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and all applicable decisions interpreting <i>Brady</i> . This order does not relieve any party of any other discovery obligation. The consequences for violating this order or the government's obligations under <i>Brady</i> may include sanctions, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges, among other consequences. (Gonzales, V) (Entered: 09/29/2021)
09/30/2021	4	ORDER APPOINTING ATTORNEY as to Luis Alfredo Jacobo, signed by Magistrate Judge Stanley A. Boone on 09/29/2021. (Added Attorney Timothy P. Hennessy for Luis Alfredo Jacobo) (Martin-Gill, S) (Entered: 09/30/2021)

10/06/2021	6	MINUTES (Text Only) for proceedings held via video conference before Magistrate Judge Stanley A. Boone: DETENTION HEARING as to Luis Alfredo Jacobo held on 10/6/2021. The matter of detention argued and submitted. The Court orders the defendant DETAINED and transported to the District of Oklahoma. Government Counsel: Antonio Pataca present. Defense Counsel: Timothy Hennessy present via video. Custody Status: CUSTODY via video. Pretrial Services Officer: Ryan Beckwith present via video. Court Reporter/CD Number: ECRO Alice Timken. (Apodaca, P) (Entered: 10/06/2021)
10/06/2021	7	DETENTION ORDER signed by Magistrate Judge Stanley A. Boone on 10/6/2021 as to Luis Alfredo Jacobo. (Apodaca, P) (Entered: 10/06/2021)
10/07/2021	8	COMMITMENT to ANOTHER DISTRICT as to Luis Alfredo Jacobo, signed by Magistrate Judge Stanley A. Boone on 10/6/2021. Defendant committed to District of Northern District of Oklahoma. (Martin-Gill, S) (Entered: 10/07/2021)
10/07/2021	9	TRANSMITTAL of DOCUMENTS re 8 Commitment to Another District on *10/6/2021* to * U.S. District Court, Northern District of Oklahoma* *101 North Fifth Street* *Room 208* *Muskogee, OK 74401*. ** *Electronic Documents: 1 to 8 * (Martin-Gill, S) (Entered: 10/07/2021)
10/18/2021		(Court only) ***STAFF NOTE: Mailed all case documents to USDC, Northern District of Oklahoma as to Luis Alfredo Jacobo. (Martin-Gill, S) (Entered: 10/18/2021)
10/22/2021	10	CLERK'S NOTICE :Please disregard 9 Transmittal - CR - sent to wrong address. See follow up transmittal. (Martin-Gill, S) (Entered: 10/22/2021)
10/22/2021	11	TRANSMITTAL of DOCUMENTS re 8 Commitment to Another District on *10/7/2021* to * USDC, Northern District of Oklahoma* *333 W. 4th Street, Room 411* *Tulsa, OK 74103*. ** *Electronic Documents: 1 to 8 * (Martin-Gill, S) (Entered: 10/22/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS ALFREDO JACOBO,

Defendant.

Case №: 1:21-mj-00099-1-SAB

**ORDER
APPOINTING COUNSEL**

The above named Defendant has, under oath, sworn or affirmed as to his financial inability to employ counsel or has otherwise satisfied this Court that he is financially unable to obtain counsel and wishes counsel be appointed to represent him. Therefore, in the interests of justice and pursuant to the U.S. CONST., amend VI and 18 U.S.C. § 3006A,

IT IS HEREBY ORDERED that Timothy P. Hennessy be appointed to represent the above defendant in this case effective *nunc pro tunc* to September 27, 2021, for the arraignment and detention hearing.

IT IS SO ORDERED.

Dated: September 29, 2021


UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS ALFREDO JACOBO,

Defendant.

No. 21 MJ 00099 SAB

DETENTION ORDER

A. Order For Detention

After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).

B. Statement Of Reasons For The Detention

The Court orders the defendant's detention because it finds:

- ☒ By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.
- ☒ By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

C. Findings of Fact

The Court's findings are based on the evidence which was presented in Court and that which was contained in the Pretrial Services Report, and includes the following:

- ☒ (1) Nature and Circumstances of the offense charged:
- ☒ (a) The crime, Continuing Criminal Enterprise, is a serious crime and carries a maximum penalty of life
 - ☒ (b) The offense is a crime of violence.
 - ☒ (c) The offense involves a narcotic drug.
 - ☒ (d) The offense involves a large amount of controlled substances.
- ☒ (2) The weight of the evidence against the defendant is high.
- ☒ (3) The history and characteristics of the defendant including:
- (a) General Factors:
 - ☐ The defendant appears to have a mental condition which may affect whether the defendant will appear.
 - ☒ The defendant has no known family ties in the area.
 - ☒ The defendant has no known steady employment.
 - ☒ The defendant has no known substantial financial resources.
 - ☐ The defendant is not a long time resident of the community.
 - ☐ The defendant does not have any known significant community ties.
 - ☒ Past conduct of the defendant :No known ties to NDOK
 - ☒ The defendant has a history relating to drug abuse.
 - ☐ The defendant has a history relating to alcohol abuse.
 - ☒ The defendant has a significant prior criminal record.
 - ☐ The defendant has a prior record of failure to appear at court proceedings.
 - ☐ The defendant has a history of violating probation and/or parole.

Defendant: LUIS ALFREDO JACOBO

Page 2 of 2

Case Number: 21 MJ 00099 SAB

- (b) Whether the defendant was on probation, parole, or release by a court;

At the time of the current arrest, the defendant was on:

- ☐ Probation
- ☐ Parole
- ☐ Release pending trial, sentence, appeal or completion of sentence.

- (c) Other Factors:

- ☐ The defendant is an illegal alien and is subject to deportation.
- ☐ The defendant is a legal alien and will be subject to deportation if convicted.
- ☐ Other:

- (4) The nature and seriousness of the danger posed by the defendant's release are as follows:

- (5) Rebuttable Presumptions

In determining that the defendant should be detained, the court also relied on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e), which the court finds the defendant has not rebutted:

- ☒ a. The crime charged is one described in § 3142(f)(1).
- ☒ (A) a crime of violence; or
- ☒ (B) an offense for which the maximum penalty is life imprisonment or death; or
- ☒ (C) a controlled substance violation that has a maximum penalty of ten years or more; or
- ☐ (D) A felony after the defendant had been convicted of two or more prior offenses described in (A) through (C) above, and the defendant has a prior conviction of one of the crimes mentioned in (A) through (C) above which is less than five years old and which was committed while the defendant was on pretrial release
- ☐ b. There is probable cause to believe that defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed
- ☐ in the Controlled Substances Act, 21 U.S.C. §§ 801, et seq.,
- ☐ the Controlled Substances Import and Export Act, 21 U.S.C. §§ 951, et seq.,
- ☐ the Maritime Drug Law Enforcement Act, 46 U.S.C. App. §§ 1901, et seq., or
- ☐ an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b.
- ☐ an offense involving a minor under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

The defendant be afforded reasonable opportunity for private consultation with counsel; and

That, on order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated: October 6, 2021


UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

Eastern District of California

UNITED STATES OF AMERICA

V.

COMMITMENT TO ANOTHER
DISTRICT

LUIS ALFREDO JACOBO

Case No. *1:21-MJ-00099-SAB

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

21-CR-102-CVE

1:21-MJ-00099-SAB

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of 21 U.S.C. ' 848(A), 848(b), 848(c), 848(d)

DISTRICT OF OFFENSE Northern District of Oklahoma

DESCRIPTION OF CHARGES:

Continuing Criminal Enterprise

CURRENT BOND STATUS:

☐ Bail fixed at \$ _____ and conditions were not met
☒ Government moved for detention and defendant detained after hearing in District of Arrest
☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
☐ Other (specify)

Representation ☐ Retained Own Counsel ☐ Federal Defender Organization ☒ CJA Attorney ☐ NoneInterpreter Required? ☒ No ☐ Yes Language: _____

DISTRICT OF CALIFORNIA

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

Oct 6, 2021

Date



Stanley A. Boone, United States Judge or Magistrate Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OFFICE OF THE CLERK
2500 Tulare Street
Fresno, CA 93721

October 7, 2021

U.S. District Court, Northern District of Oklahoma
101 North Fifth Street
Room 208
Muskogee, OK 74401

RE: USA vs. LUIS ALFREDO JACOBO
USDC No.: 1:21-MJ-00099-SAB *SEALED*

Dear Clerk,

Pursuant to the order transferring the above captioned case to your court, dated October 06, 2021 ,
transmitted herewith are the following documents:

Electronic Documents: 1 to 8

Documents maintained electronically by the district court are accessible through PACER for the
Eastern District of California at <https://ecf.caed.uscourts.gov>.

Please acknowledge receipt on the extra copy of this letter and return to the Clerk's Office.

Thank you,

/s/ S. Martin-Gill

Deputy Clerk

DATE RECEIVED: _____

RECEIVED BY: _____
(Print Name)

NEW CASE NUMBER: _____

Case 1:21-mj-00099-SAB *SEALED* Document 11 Filed 10/22/21 Page 1 of 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OFFICE OF THE CLERK
2500 Tulare Street
Fresno, CA 93721

October 22, 2021

USDC, Northern District of Oklahoma
333 W. 4th Street, Room 411
Tulsa, OK 74103

RECEIVED

OCT 26 2021

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

RE: USA vs. LUIS ALFREDO JACOBO
USDC No.: 1:21-MJ-00099-SAB *SEALED*

Dear Clerk,

Pursuant to the order transferring the above captioned case to your court, dated October 07, 2021 ,
transmitted herewith are the following documents:

Electronic Documents: 1 to 8

Documents maintained electronically by the district court are accessible through PACER for the
Eastern District of California at <https://ecf.caed.uscourts.gov>.

Please acknowledge receipt on the extra copy of this letter and return to the Clerk's Office.

Thank you,

/s/ S. Martin-Gill

Deputy Clerk

DATE RECEIVED: _____

RECEIVED BY: _____
(Print Name)

NEW CASE NUMBER: _____